

VZCZCXRO2457
RR RUEHIK
DE RUEHBS #1544/01 3231016
ZNR UUUUU ZZH
R 191016Z NOV 09
FM USEU BRUSSELS
TO RUEHC/SECSTATE WASHDC
INFO RUCNMEU/EU INTEREST COLLECTIVE
RUCNMEM/EU MEMBER STATES COLLECTIVE
RUEHC/DEPT OF LABOR WASHDC

UNCLAS SECTION 01 OF 02 BRUSSELS 001544

SIPDIS

STATE FOR EUR/ERA, DRL/AE and DRL/ILCSR
LABOR FOR ODEP and ILAB

E.O. 12958: N/A

TAGS: [ELAB](#) [PGOV](#) [PHUM](#) [EUN](#)

SUBJECT: U.S. AND EU RENEW DIALOGUE ON EMPLOYMENT OF PERSONS WITH
DISABILITIES

BRUSSELS 00001544 001.2 OF 002

11. SUMMARY: Assistant Secretary in the Office of Disability Employment Policy Kathleen Martinez led a U.S. delegation in frank discussions with their EU counterparts during the U.S.-EU Seminar on Employment of Persons with Disabilities on November 5 and 6. A set of common approaches and problems emerged during discussions, although policy and definition differences among member states make data collection and review in the EU especially difficult. Both sides expressed hope that the UN Convention on the Rights of Persons with Disabilities will mainstream the issue in the United States, Europe, and the rest of the world. END SUMMARY.

INCREASING COOPERATION

12. European Commissioner for Employment, Social Affairs and Equal Opportunities Vladimir Spidla and Assistant Secretary of Labor for Disability Employment Policy Kathleen Martinez opened the two day seminar by addressing the U.S. and EU's shared challenges and recent developments for improving employment policy and opportunities for persons with disabilities. Commissioner Spidla said that he hoped the seminar was indicative of a new and stronger relationship between the U.S. and the EU. Martinez echoed this sentiment by explaining that disability rights are a priority for the Obama Administration.

13. Speakers from the U.S. and EU described several similar obstacles for developing and implementing effective policy. Ryan Easterly, Program Coordinator for the HSC Foundation in Washington DC, and Mary Kyriazopoulou, Project Manager for the European Agency for Development in Special Needs Education, presented almost identical presentations on the transition from education to employment for young persons with disabilities. Commonalities were evident throughout the session, for example, around disability pensions and benefits. Both sides also provided striking examples of the inability for neither the U.S. federal government, nor the EU institutions, to "practice what they preach" in their own hiring practices. Belinda Pyke, Director for Equality between Men and Women, Action against Discrimination, Civil Society at the European Commission, said that the EU institutions are "not particularly good examples" of best hiring practices and "not enough has been addressed on accessibility or recruitment" for persons with disabilities.

27 MEMBER STATES, 27 DEFINITIONS

14. Commissioner Spidla said that policy making is further complicated in the EU by differences in definitions among member states which makes collecting data very difficult. According to the OECD's Christopher Prinz, Project Leader, Sickness & Disability

Policy Reviews, most EU countries do not have a definition for "disability", and the definition in those countries that do have one is so limited it does not accurately reflect the population. The complexity, according to Pyke, is that all member states need to agree on whether or not to try to define disability, a difficult task that must be completed before even discussing the actual definition. Member states also interpret "reasonable accommodation" differently. The European Commission recently sent letters to Italy and Germany inquiring into "unnecessarily severe" definitions of reasonable accommodation, although the Commission has few enforcement mechanisms without a common definition.

15. The lack of cohesiveness also makes gathering comparable statistics, for example data on need for services and the effectiveness of existing services, difficult to collect. Although sixteen of the EU's twenty-seven member states have a quota system to include persons with disabilities in the workforce, the evidence that these systems are effective is still very limited. Berth Danemark from the Swedish Institute for Disability Research at Orebro University explained, "We don't know the effectiveness of programs, but we continue to invest huge amounts of resources." In an effort to stem these problems, Pyke announced that the European Commission is launching an EU wide analysis of member states' supported-employment programs. The results will be released in 2010. Several panelists also called for additional steps, including a review of the EU's Employment Guidelines.

UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

16. Both U.S. and EU speakers expressed hope that the UN Convention on the Rights of Persons with Disabilities will be an important impetus for change. Yannis Vardakastanis, European Disability Forum, called President Obama's signing of the treaty "very crucial"

BRUSSELS 00001544 002.2 OF 002

and an important step forward. Pyke said that ratifying the convention is a priority for the Swedish Presidency, which ends December 31, 2009. Ratification, she said, will most likely be completed by the end of the year and in time for the International Day of Persons with Disabilities (December 3) and to avoid what she termed, "issues with the Lisbon Treaty." Panelists agreed that the convention will help the EU prepare the framework for its policy. Pyke said that the EU will likely attempt to use the convention's open definition of disability. "This will allow member states to continue to make their own definition," she explained. She expressed hope that the convention will encourage better hiring and retention policies for persons with disabilities in the EU workforce. She will also brief the European Parliament about the convention and how the Parliament can apply the principles to the hiring practices in their own secretariat.

NEXT STEPS

17. The seminar concluded positively, with both sides agreeing on its priorities. Martinez agreed that the civilizations of Europe and America have enough similarities to productively pursue further discussion on standards.

MURRAY